

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL COLE KAISER,

Plaintiff,

v.

RYAN HERRINGTON, *et al.*,

Defendants.

CASE NO. 3:22-cv-05944-TL-JRC

ORDER GRANTING STAY OF
DISCOVERY

This matter is before the Court on referral from the District Court and on Plaintiff's motions to extend time and for a stay. Dkts. 45, 46. Defendants have responded. Dkts. 48, 49, 50. Plaintiff has not replied. The Court concludes that a limited stay of discovery is appropriate, that the motion for a stay should therefore be **GRANTED in part**, and that Plaintiff's motion to extend time should be **DENIED** as moot.¹

Plaintiff seeks a 90-day stay of all proceedings in this matter while he seeks to retain counsel. Dkt. 46. In particular, Plaintiff states he wishes to retain counsel before proceeding with

¹ Plaintiff has also recently filed a second, largely duplicative, motion for protective order postponing his deposition, which is not yet ripe for consideration. Dkt. 52. In light of the Court's decision to grant a stay of discovery, that motion is likewise moot.

1 his deposition. *Id.* at 2. Defendants state that they do not object to a reasonable extension of time
2 for Plaintiff to seek to retain counsel, but they request a corresponding extension of the current
3 discovery deadlines to facilitate the completion of discovery. Dkt. 49 at 2.

4 The Court concludes that a 60-day stay of discovery in this matter for Plaintiff to seek to
5 retain counsel is appropriate. Plaintiff's motion is therefore **GRANTED in part**. However, if
6 Plaintiff has been unable to retain counsel during this period, discovery shall nonetheless resume
7 after 60 days, and Plaintiff shall continue to proceed in this matter *pro se*.

8 In light of the stay of discovery, Plaintiff's motion to extend time to respond to
9 interrogatories (Dkt. 45) is moot. In addition, Plaintiff's duplicative motion seeking a protective
10 order delaying his deposition (Dkt. 52) is likewise moot.

11 The Court therefore **ORDERS** as follows:

12 1. Plaintiff's motion for a stay of all proceedings is **GRANTED in part**. Discovery
13 in this matter is **STAYED** until **August 22, 2023**, or, if earlier, the date Plaintiff retains counsel.
14 This case shall otherwise proceed.

15 2. Plaintiff shall file a status report on **August 22, 2023**, and shall show cause why
16 the stay should not be lifted at that time. If Plaintiff retains counsel prior to that date, he shall file
17 a status report within fourteen days of the retention and the stay shall be lifted at that time.

18 3. After the stay is lifted, the Court will consider appropriate new discovery and
19 motions deadlines.

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1 4. Plaintiff's motion for extension of time to complete interrogatories (Dkt. 45) and
2 his duplicative motion for a protective order (Dkt. 52) are **DENIED** as moot.

3 Dated this 23rd day of June, 2023.

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A handwritten signature in black ink, appearing to read 'Grady J. Leupold', is written over a solid black horizontal line.

Grady J. Leupold
United States Magistrate Judge